



Application no. 10/647,762

July 15, 2005

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: Art Unit 3729 - Examiner Kim, Paul D

FROM: George O. Saile, Reg. No. 19,572  
28 Davis Avenue  
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SUBJECT: Serial #: 10/647,762  
File Date: 08/25/2003  
Inventor: Cherng-Chyi Han  
Examiner: Kim, Paul D  
Art Unit: 3729  
Title: Short Yoke Stitched Writer with Low DC Coil Resistance

### RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Restriction Requirement in the Office Action dated July 1, 2005. In that office action, restriction was required to one of the following Inventions under

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents P.O. Box 1450, Alexandria, VA 22313-1450 on July 18, 2005.

Signature   
Stephen B. Ackerman, Reg. No. 37,761

Date: July 18, 2005

35 U.S.C. 121:

The inventions stated are:

I - Claims 1-8, drawn to a planarizing method, classified in class 29, subclass 603.15, and

II - Claims 9-20, drawn to a process to manufacture a stitched pole magnetic write head, classified in class 29, subclass 603.12.

Applicant provisionally elects to be examined the Invention described by the Examiner as Group I - Claims 1-8, drawn to a process classified in Class 29, subclass 603.15. This election is made with traverse of the requirement under 37 C.F.R. 1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Restriction in the Office Action.

The Examiner states that Inventions I and II are related as combination and subcombination, and gives as the reasons for distinctness that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations. (M.P.E.P.  $\pm$  806.05(c)). However, upon reading the Invention II Claims against the Claims of Invention

I, it can be seen that Invention II is drawn to "a process to manufacture a stitched pole magnetic write head, while Invention I is drawn to "a planarizing process". As such, the field of search must necessarily cover both the Group I class/subclass 29/603.15 and the Group II class/subclass 29/603.12, in addition to other related Classes and subclasses to provide a complete and adequate search. The fields of search for the Group I and Group II inventions are clearly and necessarily co-extensive. The Examiner's suggestion that "the combination (Group II) as claimed does not require the particulars of the subcombination (Group I) as claimed because the combination (Group II) as claimed does not require a baking process" is speculative and has nothing to do with the Claims as presented in this patent application.

Further, it is respectfully suggested that these reasons are insufficient to place the additional cost of additional Patent Applications upon the Applicants. Therefore, it is respectfully requested that the Examiner withdraw this restriction requirement for these reasons.

Withdrawal of the Restriction Requirement, and allowance of the present Patent Application, is respectfully requested.

It is requested that should there be any problems with this response, please call the undersigned Attorney at (845) 452-5863.

Respectfully submitted,



Stephen B. Ackerman, Reg. No. 37,761